

1725

HDP/SB/21 based on PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☐

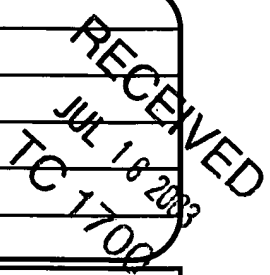


# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Applicati n Number	09/980,169
Filing Dat	1/9/2002
First Named Invent r	Michael Krengel et al.
Group Art Unit	1725
Examiner Name	Clifford C. Shaw
Attorney Docket Number	0275M-000732

Total Number of Pages in This Submission 4



## ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment / Response
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):  
**Revocation and Substitute Power of Attorney; return postcard**

Remarks

The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.A.C.	Attorney Name	Monte L. Falcoff	Reg. No.	37,617
Signature					
Date	June 27, 2003				

## CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.

Typed or printed name	Monte L. Falcoff		
Signature		Date	June 27, 2003



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 09/980,169  
Filing Date: 1/9/2002  
Applicant: Michael Krengel et al.  
Group Art Unit: 1725  
Examiner: Clifford C. Shaw  
Title: LIFT-AND-STRIKE WELDING PROCESS WITH  
CLEANING STAGE  
Attorney Docket: 0275M-000732

**RECEIVED**  
JUL 16 2003  
TC 1700

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Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REVOCATION AND SUBSTITUTE  
POWER OF ATTORNEY**

Sir:


Newfrey LLC, owner of the above-referenced patent application, hereby revokes and cancels any and all previous powers given by it and/or its predecessors in interest and does hereby appoint Harold Weinstein, Reg. No. 20613; Edward D. Murphy, Reg. No. 20625; John D. Del Ponti, Reg. No. 24258; Charles E. Yocum, Reg. No. 30121; Bruce S. Shapiro, Reg. No. 33120; Adan Ayala, Reg. No. 38373; Michael P. Leary, Reg. No. 41144; Richard J. Veltman, Reg. No. 36957; and Paul L. Ratcliffe, Reg. No. 45290 of The Black & Decker Corporation, 701 East Joppa Road, Towson, Maryland 21286, telephone (410) 716-3900; and Christopher M. Brock, Reg. No 27,313, Monte L. Falcoff,

Reg. No. 37,617, and each principal, attorney of counsel, associate, and employee of Harness, Dickey & Pierce, P.L.C., who is a registered Patent Attorney, its attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Newfrey LLC requests the Patent and Trademark Office to direct all correspondence and telephone calls relative to this application to Customer No. 27572 ( \*27572\* ), Harness, Dickey & Pierce, P.L.C., P. O. Box 828, Bloomfield Hills, Michigan 48303 (248) 641-1600.

Respectfully submitted

Date: 23 June 03

  
\_\_\_\_\_  
Edward D. Murphy  
Senior Group Patent Counsel  
The Black & Decker Corporation

GERSSS



The Black & Decker Corporation  
701 East Joppa Road  
Towson, Maryland 21286  
t 410 716 3242  
f 410 716 2610  
Patent, Trademark & Licensing Department

November 26, 2002

Box: Assignments  
Assistant Commissioner for Patents  
Washington DC 20231

Re: **Assignment Filings – Assignee: Emhart LLC**  
**Please refer to our File No. AD-EF-2067**

Sir:

Emhart LL. is the assignee of record in the patents and pending applications listed on the attached Schedule of Patents and Applications. Recently, Emhart LLC changed its name to Newfrey LLC as evidenced by the attached copy of the *Certificate of Amendment to the Certificate of Formation of Emhart LLC, filed in the State of Delaware, Office of the Secretary of State and executed by an officer of Newfrey LLC*

Pursuant to 37 C.F.R. § 3.28 et seq., Newfrey LLC respectfully requests that the name change be entered into the records of each patent and pending application listed on the attached schedule.

The Commissioner is hereby authorized to charge to Deposit Account No. 02-2550 the amount of \$9,400, or \$40 per property, which is the fee provided in 37 CFR 1.21(h) for recordation of the properties listed on the schedule.


The Commissioner is further authorized to charge payment of any additional fees which may be required for this recordation, or credit any overpayment to Deposit Account No. 02-2550. A recordation cover sheet and a duplicate copy of this paper is enclosed for this purpose.

Respectfully submitted,

Edward D. Murphy  
Senior Group Patent Patent Counsel  
Reg. No. 20,625

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE U.S. PATENT AND TRADEMARK OFFICE, BOX: ASSIGNMENTS, WASHINGTON DC 20231.

SHARON GILDEN  
(Typed or Printed Name of Person Mailing Paper or Fee)

  
(Signature of Person Mailing Paper or Fee)

ET 365680699 US

## NEWFREY LLC

### ACTION OF DIRECTORS BY UNANIMOUS WRITTEN CONSENT


THE UNDERSIGNED, being all the directors of Newfrey LLC, a Delaware limited liability company (the "Company"), consent to the adoption of the following resolutions and the recording of the resolutions among the minutes of the proceedings of the Board of Directors.

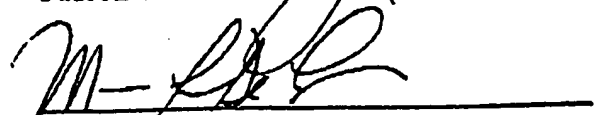
RESOLVED, that each person holding the title of (a) General Patent Counsel, (b) Senior Group Patent Counsel, (c) Trademark Counsel, (d) Director of Patents, (e) European Patents Manager, (f) Group Patent Counsel, (g) Senior Patent Attorney, or (h) Patent Attorney, and employed by The Black & Decker Corporation or its subsidiaries, is authorized and empowered to execute all documents, including but not limited to Powers of Attorney, Application Forms and Declarations, Affidavits, Assignments and similar documents that may be required by the United States or any foreign Patent and Trademark Offices for the purpose of filing, prosecuting, appealing and obtaining all forms of Patents, Designs, Trademarks, and Copyrights on behalf of, and in the name of, Newfrey LLC and for the purpose of entering opposition or revocation proceedings in any such Patent and Trademark Office in the name of Newfrey LLC against any Patent, Design, Trademark, Copyright or application therefor of a third party.

RESOLVED, that the foregoing resolution shall supersede any prior resolutions adopted by this Board of Directors relating to the same subject that shall hereafter be no longer effective.

Dated and effective as of November 11, 2002.

  
Lowell R. Bowen

  
Paul A. Gustafson

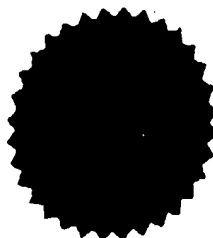
  
Morris F. DeFeo

# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "EMHART LLC", CHANGING ITS NAME FROM "EMHART LLC" TO "NEWFREY LLC", FILED IN THIS OFFICE ON THE THIRTIETH DAY OF OCTOBER, A.D. 2002, AT 5:30 O'CLOCK P.M.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 2064304

DATE: 10-31-02

2206688 8100


020671970

**CERTIFICATE OF AMENDMENT  
TO THE  
CERTIFICATE OF FORMATION  
OF  
EMHART LLC**

It is hereby certified that:

1. The name of the limited liability company is Emhart LLC.
2. The Certificate of Formation of the limited liability company is hereby amended by striking out Article 1 and by substituting in lieu thereof the following:
  - "1. The name of the limited liability company is Newfrey LLC (the "Company")."

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Amendment to the Certificate of Formation of Emhart LLC as of the 28<sup>th</sup> day of October, 2002.

  
Charles E. Penton  
Vice President and Secretary  
& Authorized Person

Form PTO-1595  
(Rev. 10/02)

OMB No. 0651-0027 (exp. 6/30/2005)

Tab settings

RECORDATION FORM COVER SHEET  
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

EMHART LLC  
1423 Kirkwood Highway  
Newark, Delaware 19711

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger  
☐ Security Agreement ☒ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: 10/30/2002

2. Name and address of receiving party(ies)

Name: NEWFREY LLC

Internal Address: \_\_\_\_\_

Street Address: 1423 Kirkwood Highway

City: Newark State: DE Zip: 19711

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s) \_\_\_\_\_  
(SEE ATTACHED LISTS)

B. Patent No.(s) 4932100 and others  
(SEE ATTACHED LISTS)

Additional numbers attached? ☒ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Edward D. Murphy

Internal Address: MailStop TW199

Street Address: 701 E. Joppa Road

City: Towson State: MD Zip: 21286

6. Total number of applications and patents involved: 235

7. Total fee (37 CFR 3.41).....\$ 9,400.00

☐ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

02-2550

DO NOT USE THIS SPACE

9. Signature:

Edward D. Murphy  
Name of Person Signing

  
Signature

21 Nov 02  
Date

Total number of pages including cover sheet, attachments, and documents: 18

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231.



<u>Application No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>	<u>Attorney Docket No.</u>
09/980,169	Nov. 29, 2001	Gottwals, H. Krengel, M. Schmidt, W. Schmitt, K.G. Broehl, R.	GER5355
10/004,552	Dec. 5, 2001	Jennings, G.P. Probert, P.C.	BR8669
10/012,625	Dec. 7, 2001	Mauer, D. Oppper, R.	GER5070-A
10/017,094	Dec. 14, 2001	Shibuya, T.	J12023
10/039,883	Jan. 3, 2002	Hahn, E.L.	GER8714
10/039,964	Jan. 4, 2002	Moeser, J. Oppper, R. Romero, R.G.	GER8712
10/042,623	Jan. 9, 2002	Blocher, M. Oppper, R. Moser, J.	GER8707
10/075,090	Feb. 12, 2002	Delcourt, M.H. Gouin, T.	W5493
10/116,454	Apr. 4, 2002	Lutkus, W.J.	HC5530
10/151,196	May 20, 2002	Botelle, J.D. Phillips, R.J.	HC5644
10/158,561	May 29, 2002	Zirps, C.T. Kinsley, J.P. Donofrio III, D.J. Komsta, T.S. Banducci, D.J.	S5443-A
10/158,697	May 30, 2002	Nakanishi, H.	J13004
10/176,860	Jun. 21, 2002	Jennings, G.P. Probert, P.C.	BR8671-A
10/194,511	Jul. 12, 2002	Kanie, H. Dendo, M.	J13038
10/194,641	Jul. 12, 2002	Kanie, H.	J13020
10/194,748	Jul. 12, 2002	Kanie, H.	J13031
10/212,640	Aug. 5, 2002	Kanie, H.	J13022
10/234,763	Sep. 3, 2002	Benedetti, S.M. Meyers, J.M.	W5725
10/255,819	Sep. 26, 2002	Roessler, A.	GER5314-A
10/256,033	Sep. 26, 2002	Kanie, H. Koike, Y.	J13010